

# EXHIBIT 2

1 Eli J. Kay-Oliphant, Esq. (Admitted *Pro Hac Vice*)  
New York Bar No. 4421541  
2 District of Columbia Bar No. 503235  
Illinois Bar No. 6326136  
3 Ryan R. Sparacino, Esq. (*Pro Hac Vice Motion to be Filed*)  
4 District of Columbia Bar No. 493700  
SPARACINO PLLC  
5 1920 L Street, NW  
Suite 835  
6 Washington, DC 20036  
Telephone: (202) 629-3530  
7 eli.kay-oliphant@sparacinopllc.com

8 Brian D. Shapiro, Esq.  
9 Nevada Bar No. 5772  
LAW OFFICE OF BRIAN D. SHAPIRO, LLC  
10 510 S. 8th Street  
Las Vegas, NV 89101  
11 Telephone: (702) 386-8600  
brian@brianshapirolaw.com  
12 *Attorneys for Sparacino PLLC*

13  
14 **UNITED STATES DISTRICT COURT**  
15 **DISTRICT OF NEVADA**  
16

17  
18 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
Vera, Luis Javier Vazquez, and Kyle  
19 Kingsbury, on behalf of themselves and all  
others similarly situated,

20 Plaintiffs,

21 v.  
22

23 Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

24 Defendant.  
25  
26  
27  
28

**Case No. 2:15-cv-01045-RFB-BNW**

**DECLARATION OF ELI J. KAY-  
OLIPHANT**

**DECLARATION OF ELI J. KAY-OLIPHANT**

I, ELI J. KAY-OLIPHANT, declare as follows:

1. I am a Partner of the law firm of Sparacino PLLC (“Sparacino” or “Firm”), and my Firm is counsel for certain former professional mixed martial arts (“MMA”) fighters who may have claims as members of the “Bout Class” in *Le v. Zuffa*. I am the lead Sparacino attorney on this matter and have day-to-day responsibility for it. I have personal knowledge of the facts set forth in this declaration and if necessary, could testify competently thereto. I make this declaration in support of Sparacino’s Motion for Relief Pursuant to the Court’s Inherent Authority.

2. Antonio McKee initiated contact with Sparacino PLLC at 5:43pm EST on March 18, 2021. We have a log of him calling us and asking that an attorney call him back. A true and correct copy of that log entry, with Mr. McKee’s personal contact information and other work product and privileged communications redacted, is attached hereto as Exhibit A.

3. Later that day, on March 18, 2021, I called Mr. McKee and had a phone conversation during which he and I discussed the solicitation that Sparacino had sent him. During that conversation, Mr. McKee requested that an engagement letter be prepared so that he could review its terms. So that Sparacino could send the engagement letter to him, I asked for, and Mr. McKee gave me, his email address. A true and correct copy of the log I created of that conversation, with Mr. McKee’s personal contact information and other work product and privileged information redacted, is attached hereto as Exhibit B.

4. I then sent Mr. McKee a follow-up email thanking him “for connecting with me earlier [that day],” and informed him that we would send an engagement letter to the email address he had given me. A true and copy of the email I sent him on March 18, 2021, commemorating our prior conversation, with Mr. McKee’s personal contact information and other work product and privileged information redacted, is attached hereto as Exhibit C. At or around the same time, via DocuSign, Sparacino then sent the engagement letter that Mr. McKee had requested.

5. On April 2, 2021, when Scott+Scott withdrew from the matter, Sparacino voided the pending but not yet signed engagement letters that it had sent to clients who had requested engagement letters, including Mr. McKee, and sent modified engagement letters out to each.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 4, 2023

Eli J. Kay-Oliphant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of October, 2023 a true and correct copy of  
**DECLARATION OF ELI J. KAY-OLIPHANT** was served via the District Court of Nevada's  
ECF system to all counsel of record who have enrolled in this ECF system.

/s/ Eli J. Kay-Oliphant

---

Eli J. Kay-Oliphant, Esq.

## Exhibit A

 Key

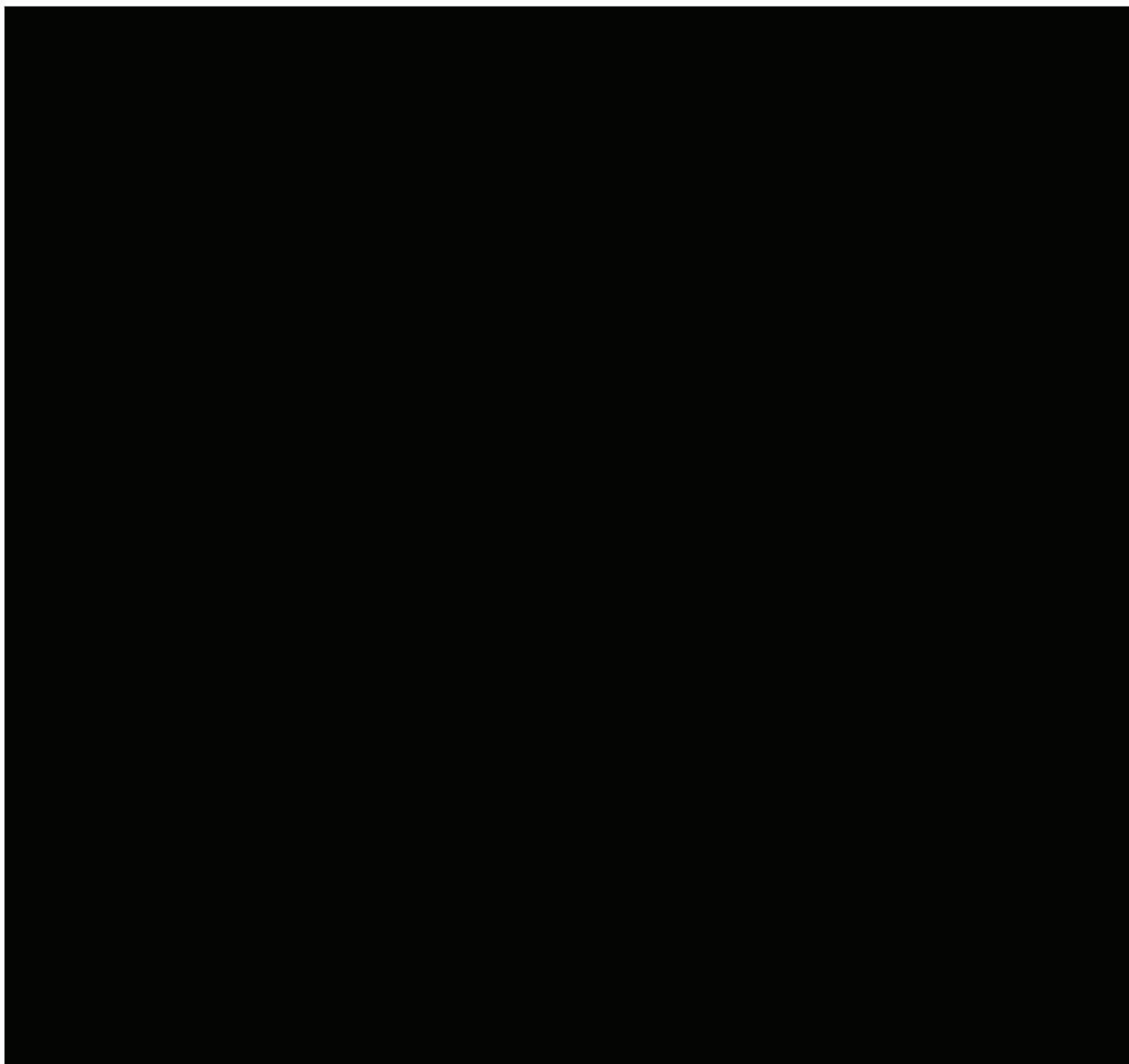
 Syncing fields from  Synced UFC

Call: 2021-03-18 5:43pm  
McKee, Antonio

---

 Call Date & Time  
Formatted

March 18th at 5:43PM ET



 Preferred Call Back  
Time



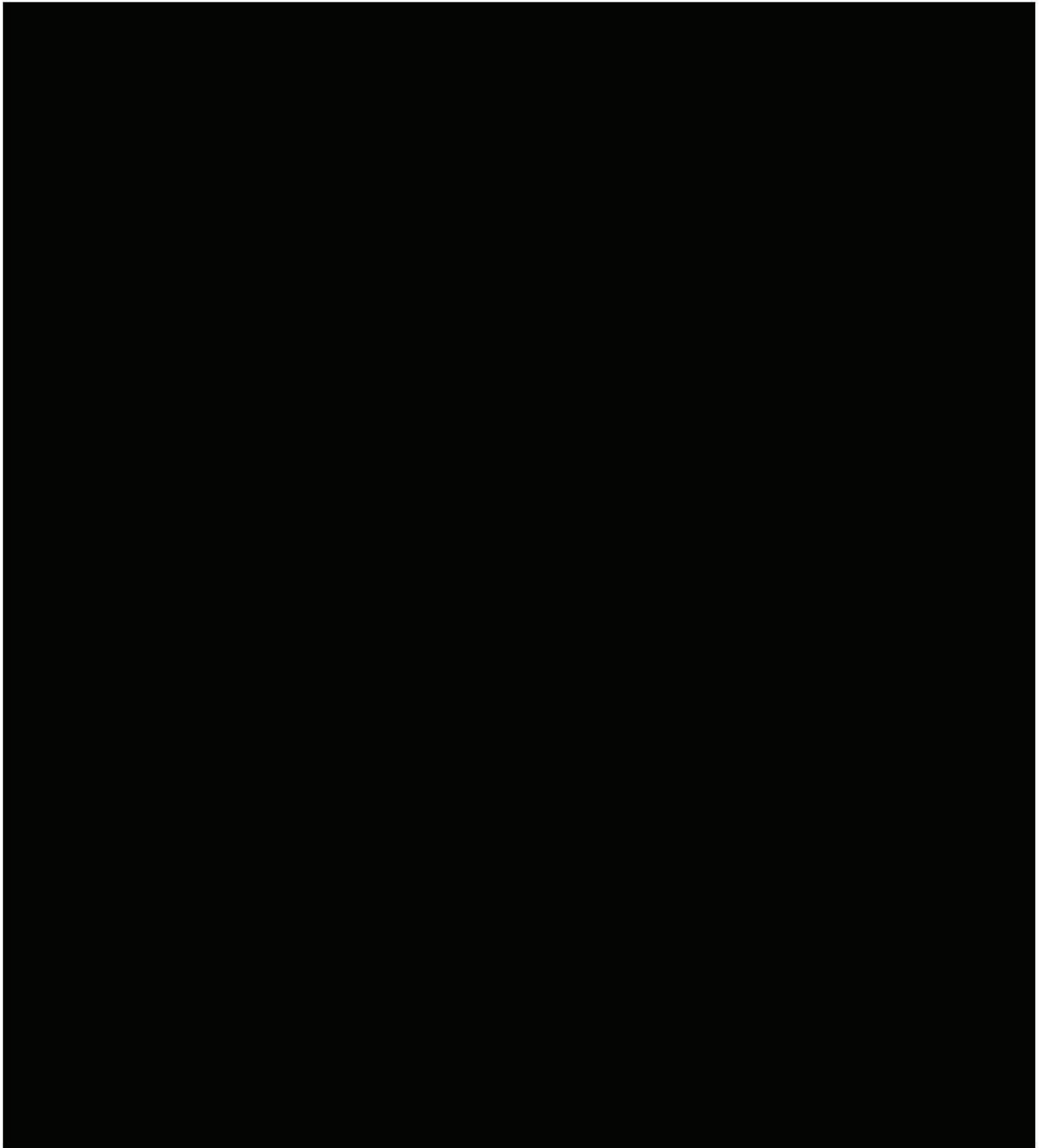
ASAP. Pacific Time (CA)



 Call Date



3/18/2021





## Exhibit B

Key

Call: 2021-03-18 - McKee, Antonio



Date & Time of Communication

2021-03-18

5:34pm



Communication Type

Call

Phone Number



Email Address



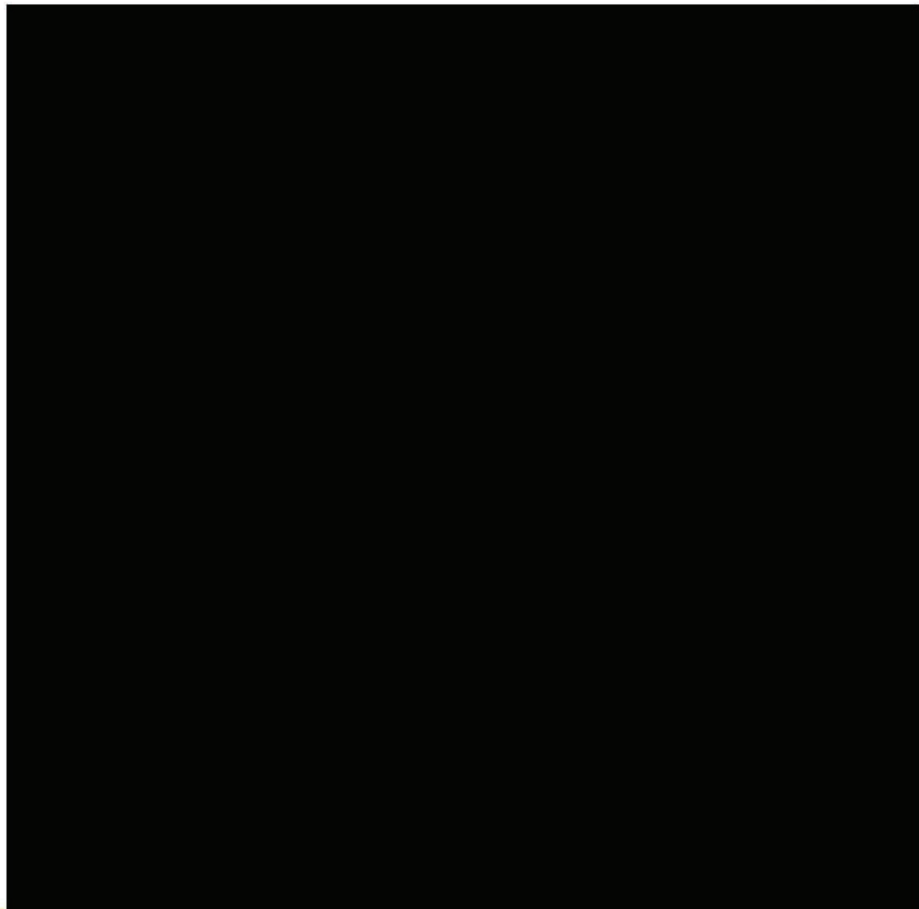
Duration

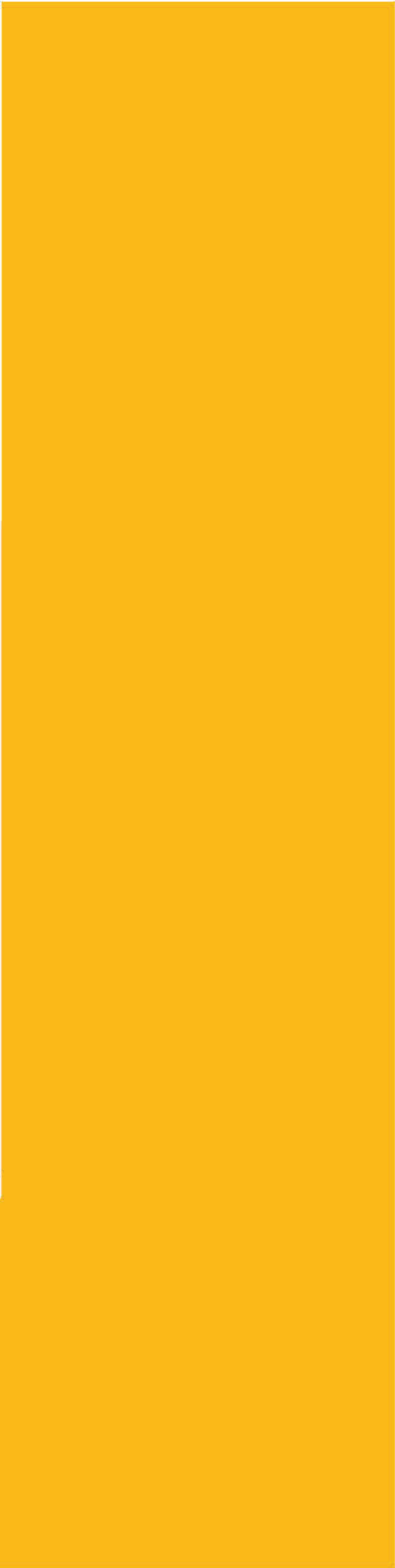
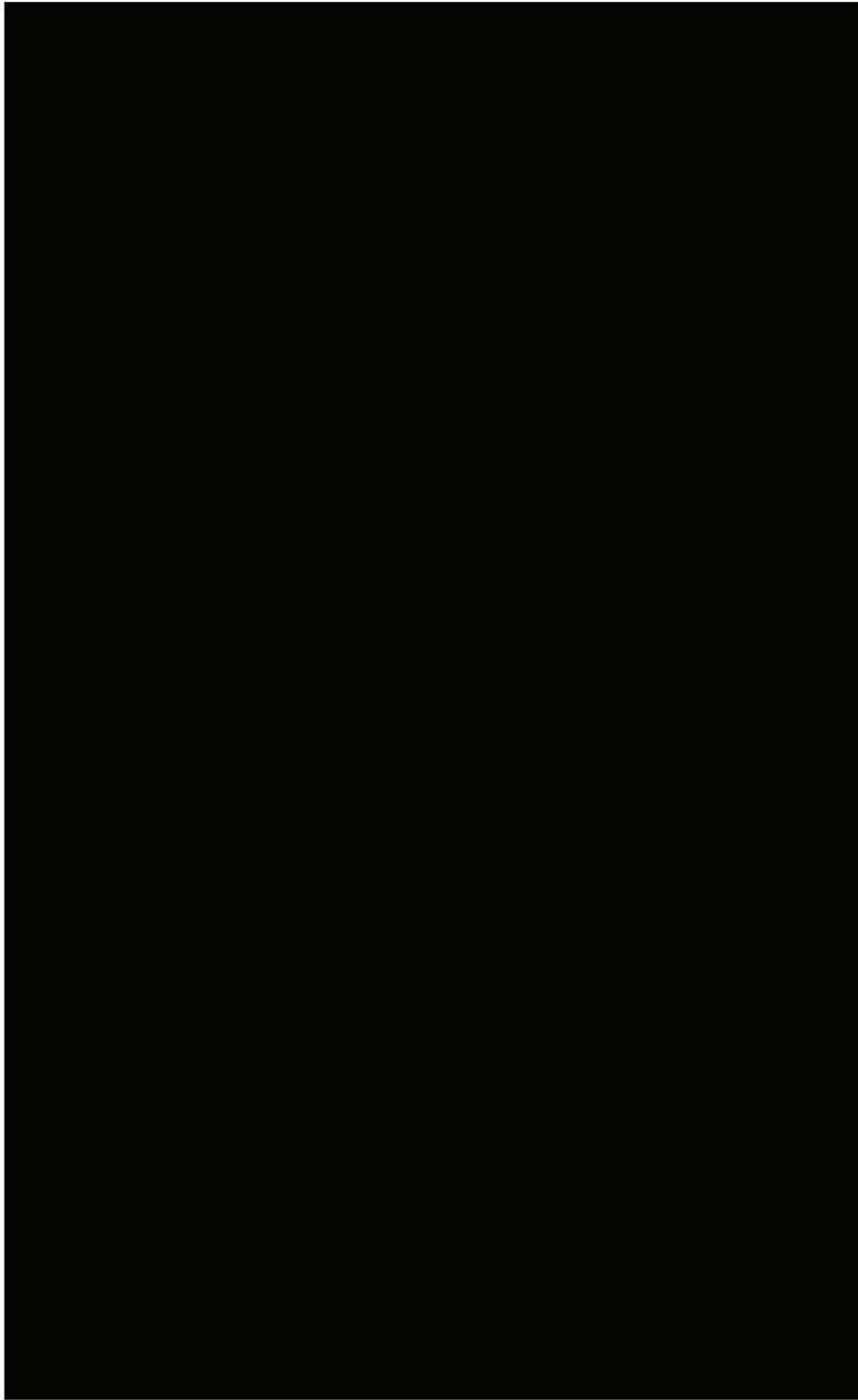
0:30

Created By



Eli Kay-Oliphant





## Exhibit C

*This email, and any attachment to it, is intended solely for use by the addressee and may contain legally privileged or confidential information. If you are not the recipient of this email, any dissemination, distribution, or copying of this email, and any attachments, is strictly prohibited. If you have received this email in error, please notify Sparacino PLLC by email or phone at (202) 629-3530, and please delete the email in question.*